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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/638,420	08/12/2003	Shinji Hashiguchi	03500.017490	5192
5514	7590	11/18/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			ROYER, WILLIAM J	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2852	

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/638,420	HASHIGUCHI ET AL.	
	Examiner	Art Unit	
	William J. Royer	2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>09252003</u> . | 6) <input type="checkbox"/> Other: _____ |

This application is in condition for allowance except for the following formal matters:

Drawings

Figures 7-10 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The disclosure is objected to because of the following informalities:

On page 2, line 19, delete ---etc ---.

On page 3, line 16, change "film assembly" to --- unit ---.

On page 3, line 19, before "holder" insert --- stay ---.

On page 3, line 21, after "holder" insert --- 17 ---.

On page 4, line 1, delete --- etc ---.

On page 4, line 10, before "pressure" insert --- elastic ---.

On page 5, line 3, after "nip" insert --- portion N ---.

On page 5, lines 3, 8, 25 and 26, change "toner T" to -- unfixed toner image T --.

On page 5, lines 10 and 11, after "film" insert --- 14 ---.

On page 5, lines 13, 15 and 19, after "material" insert --- P ---.

On page 6, lines 6, 11, 13, 14 and 26, change "toner T" to --- unfixed toner image
T ---.

On page 6, lines 6 and 24, after "material" insert --- P ---.

On page 6, lines 9, 12, 14 and 27, before "pressure" insert --- elastic ---.

On page 6, line 11, change "core metal portion" to --- metal core ---.

On page 6, line 24, change "have" to --- has ---.

On page 6, line 25, after "portion" insert --- N ---.

On page 7, lines 6 and 8, change "toner T" to --- unfixed toner image T ---.

On page 7, line 7, after "material" insert --- P ---.

On page 8, line 9, change "increases" to --- increase ---.

On page 8, line 11, change "a area" to --- an area ---.

On page 16, line 20, delete --- etc ---.

On page 16, line 27, delete --- rotary ---.

On page 16, line 27, after "drum" insert --- 19 ---.

On page 17, line 12, delete --- etc ---.

On page 17, line 25, change "material are" to --- material P ---.

On page 18, lines 22 and 25, after "material" insert --- P ---.

On page 18, line 23, after "apparatus" insert --- 25 ---.

On page 19, lines 1, 7 and 16, after "material" insert --- P ---.

On page 19, line 4, after "material(s)" insert --- P ---.

On page 19, line 9, after "portion" insert --- 100 ---.

On page 19, lines 12 and 15, after "materials" insert --- P ---.

On page 19, line 18, change "Apparatus" to --- apparatus ---.

On page 20, line 1, delete --- etc ---.

On page 20, line 2, change "apparatus" to --- fixing apparatus ---.

On page 20, line 11, after "member" insert --- 27 ---.

On page 20, line 16, after "along" insert --- and ---.

On page 20, line 18, it is unclear what "it" is in this instance.

On page 20, line 25, after "core" insert --- 29 ---.

On page 21, line 3, delete --- etc ---.

On page 21, lines 5 and 27, after "layer" insert --- 30 ---.

On page 21, line 14, change "the front plate and the" to --- a front plate and a ---.

On page 21, line 25, after "film" insert --- 14 ---.

On page 22, line 2, change "apparatus" to --- fixing apparatus 25 ---.

On page 22, line 4, change "30" to --- 18 ---.

On page 23, line 1, change "15b" to --- 15 ---.

On page 23, line 1, after "and" insert --- the ---.

On page 23, line 5, after "nip" insert --- portion N ---.

On page 23, line 10, after "material" insert --- P ---.

On page 23, line 15, after "polarity" insert --- the ---.

On page 23, line 16, change "toner" to --- unfixed toner image T ---.

On page 23, line 17, change "the offset and the" to --- offset and ---.

On page 24, line 18, delete --- an ---.

On page 25, line 3, change "heating" to --- heat generating ---.

On page 25, line 13, delete --- etc ---.

On page 25, line 14, change "ware" to --- wear ---.

On page 25, line 15, after "film" insert --- 14 ---.

On page 26, line 9, change "15" to --- b ---.

On page 26, line 17, change "control" to --- controls ---.

On page 27, line 5, delete --- an ---.

On page 27, lines 7 and 9, after "nip" insert --- portion N ---.

On page 27, line 13, change "substrate" to --- heater substrate a ---.

On page 27, line 14, after "portion" insert --- N ---.

On page 27, line 17, after "holder" insert --- 17 ---.

On page 28, line 1, delete --- etc ---.

On page 28, line 6, after "older" insert --- 17 ---.

On page 28, lines 18 and 19, delete --- the ---.

On page 29, lines 1 and 15, delete --- etc ---.

On page 29, line 6, change "transferring" to --- transfer ---.

- On page 29, lines 23 and 26, after "film" insert --- 14 ---.
- On page 29, line 26, after "the" insert --- power supply brush or ---.
- On page 30, lines 1, 4 and 7-8, change "the toner" to --- the unfixed toner image
T ---.
- On page 30, line 8, after "roller" insert --- 18 ---.
- On page 30, line 10, change "prevents the" to --- prevent ---.
- On page 30, line 16, change "prevent the" to --- prevent ---.
- On page 30, lines 24 and 26, after "material" insert --- P ---.
- On page 30, line 27, after "apparatus" insert --- 25 ---.
- On page 31, lines 2, 8, 18 and 23, after "material" insert --- P ---.
- On page 31, line 6, after "material(s)" insert --- P ---.
- On page 31, line 10, after "portion" insert --- 100 ---.
- On page 31, line 13, after "brush" insert --- 51 ---.
- On page 31, lines 14, 17 and 21, after "materials" insert --- P ---.
- On page 31, line 25, after "apparatus" insert --- 25 ---.
- On page 32, lines 1 and 4, after "material" insert --- P ---.
- On page 32, line 8, after "materials" insert --- P ---.
- On page 32, line 11, change "the offset and the" to --- offset and ---.
- On page 35, line 5, after "than" insert --- the ---.
- On page 36, line 19, delete --- an ---.
- On page 40, line 23, after "nip" insert --- portion N ---.
- On page 40, line 27, after "heater" insert --- 15 ---.

On page 41, line 1, after "heater" insert --- 15 ---.

On page 41, line 7, after "element" insert --- 28 ---.

On page 47, line 24, change "not-sheet" to --- non-sheet ---.

On page 51, line 22, change "film" to --- fixing film 14 ---.

On page 51, lines 23 and 24, after each occurrence of "heater" insert --- 15 ---.

On page 52, line 13, change "film 15" to --- fixing film 14 ---.

On page 53, line 18, delete --- etc ---.

Appropriate correction is required.

Claim Objections

Claim 1 objected to because of the following informalities:

Claim 1, line 19, change "the second width" to --- a second width --- since the "second width" has not been defined in the claim prior to this recitation.

Appropriate correction is required.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Allowable Subject Matter

Claims 1-5 are allowable over the prior art of record because the prior art of record fails to teach or suggest providing an image heating apparatus that includes a bias applying portion for applying a bias to at least one of a heating member and a pressurizing member wherein in a case that a recording material(s) having a first width is fed and thereafter a recording material is to be fed, a bias setting portion sets an amount of the applied bias based on the number of the recording material(s) having the first width that have been fed and a time from the feeding of the recording material(s) having the first width to the feeding of the recording material having a second width.

Relevant Prior Art

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ohtsuka et al disclose providing a bias voltage to a fixing roller with the bias voltage being automatically changed in accordance with changes in ambient conditions.

Martin et al disclose providing a fixing roller with a bias voltage.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Royer whose telephone number is (571) 272-2140. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William J. Royer
Primary Examiner
Art Unit 2852

wjr
November 15, 2004